



## 99TH GENERAL ASSEMBLY

### State of Illinois

2015 and 2016

SB1621

Introduced 2/20/2015, by Sen. Pat McGuire

#### SYNOPSIS AS INTRODUCED:

See Index

Amends the Board of Higher Education Act, the Higher Education Cooperation Act, and the Public Community College Act. Removes application to public community colleges and the Illinois Community College Board (ICCB) with respect to provisions concerning the Board of Higher Education's (IBHE) information system, approval of new units of instruction, research, and public service and review of existing programs of instruction, research, and public service, approval of plans for capital improvements of non-instructional facilities, and examination of the books, records, files, and other information of a public institution of higher education and submission of budget proposals to IBHE for operations and capital needs. Provides for IBHE's master plan and admission standards for public community colleges to be made in cooperation with the Illinois Community College Board. With respect to the authority of IBHE over community colleges in provisions concerning performance metrics and the underrepresentation of certain groups in higher education, changes that authority to ICCB. Removes the requirement that IBHE approve requests for new community college districts and approve educational service contracts (instead requiring just ICCB approval). Removes a requirement that ICCB file copies of community college financial statements with IBHE. Requires a community college district to report administrator and faculty salaries and benefits to ICCB instead of IBHE. Effective July 1, 2015.

LRB099 06600 NHT 29672 b

FISCAL NOTE ACT  
MAY APPLY

A BILL FOR

1 AN ACT concerning education.

2 **Be it enacted by the People of the State of Illinois,**  
3 **represented in the General Assembly:**

4 Section 5. The Board of Higher Education Act is amended by  
5 changing Sections 6, 6.2, 7, 8, 9.07, 9.08, 9.16, and 12 as  
6 follows:

7 (110 ILCS 205/6) (from Ch. 144, par. 186)

8 Sec. 6. The Board, in cooperation with the Illinois  
9 Community College Board, shall analyze the present and future  
10 aims, needs and requirements of higher education in the State  
11 of Illinois and prepare a master plan for the development,  
12 expansion, integration, coordination and efficient utilization  
13 of the facilities, curricula and standards of higher education  
14 for ~~the~~ public institutions of higher education in the areas of  
15 teaching, research and public service. The master plan shall  
16 also include higher education affordability and accessibility  
17 measures. The Board, in cooperation with the Illinois Community  
18 College Board, shall formulate the master plan and prepare and  
19 submit to the General Assembly and the Governor drafts of  
20 proposed legislation to effectuate the plan. The Board, in  
21 cooperation with the Illinois Community College Board, shall  
22 engage in a continuing study, an analysis, and an evaluation of  
23 the master plan so developed, and it shall be its

1 responsibility to recommend, from time to time as it  
2 determines, amendments and modifications of any master plan  
3 enacted by the General Assembly.

4 (Source: P.A. 96-319, eff. 1-1-10.)

5 (110 ILCS 205/6.2) (from Ch. 144, par. 186.2)

6 Sec. 6.2. The Board shall, in consultation with the  
7 Department of Central Management Services of the State of  
8 Illinois, and after affording a full opportunity to the State  
9 universities ~~and colleges~~ to be heard, design and establish a  
10 State university ~~and college~~ information system to provide  
11 comprehensive, meaningful, and timely information pertinent to  
12 the formulation of decisions and recommendations by the Board.  
13 The information submitted by the universities ~~and colleges~~  
14 shall be in comparable terms and the reports developed through  
15 the system shall conform to the procedures established by the  
16 Board of Higher Education in cooperation with the Department of  
17 Central Management Services.

18 (Source: P.A. 82-789.)

19 (110 ILCS 205/7) (from Ch. 144, par. 187)

20 Sec. 7. The Board of Trustees of the University of  
21 Illinois, the Board of Trustees of Southern Illinois  
22 University, the Board of Trustees of Chicago State University,  
23 the Board of Trustees of Eastern Illinois University, the Board  
24 of Trustees of Governors State University, the Board of

1 Trustees of Illinois State University, the Board of Trustees of  
2 Northeastern Illinois University, the Board of Trustees of  
3 Northern Illinois University, the Board of Trustees of Western  
4 Illinois University, ~~the Illinois Community College Board~~ and  
5 the campuses under their governance or supervision shall not  
6 hereafter undertake the establishment of any new unit of  
7 instruction, research or public service without the approval of  
8 the Board. The term "new unit of instruction, research or  
9 public service" includes the establishment of a college,  
10 school, division, institute, department or other unit in any  
11 field of instruction, research or public service not  
12 theretofore included in the program of the institution, and  
13 includes the establishment of any new branch or campus. The  
14 term does not include reasonable and moderate extensions of  
15 existing curricula, research, or public service programs which  
16 have a direct relationship to existing programs; and the Board  
17 may, under its rule making power, define the character of such  
18 reasonable and moderate extensions.

19 Such governing boards shall submit to the Board all  
20 proposals for a new unit of instruction, research, or public  
21 service. The Board may approve or disapprove the proposal in  
22 whole or in part or approve modifications thereof whenever in  
23 its judgment such action is consistent with the objectives of  
24 an existing or proposed master plan of higher education.

25 The Board of Higher Education is authorized to review  
26 periodically all existing programs of instruction, research

1 and public service at the State universities ~~and colleges~~ and  
2 to advise the appropriate board of control if the contribution  
3 of each program is not educationally and economically  
4 justified. Each State university shall report annually to the  
5 Board on programs of instruction, research, or public service  
6 that have been terminated, dissolved, reduced, or consolidated  
7 by the university. Each State university shall also report to  
8 the Board all programs of instruction, research, and public  
9 service that exhibit a trend of low performance in enrollments,  
10 degree completions, and high expense per degree. The Board  
11 shall compile an annual report that shall contain information  
12 on new programs created, existing programs that have been  
13 closed or consolidated, and programs that exhibit low  
14 performance or productivity. The report must be submitted to  
15 the General Assembly. The Board shall have the authority to  
16 define relevant terms and timelines by rule with respect to  
17 this reporting.

18 (Source: P.A. 97-610, eff. 1-1-12.)

19 (110 ILCS 205/8) (from Ch. 144, par. 188)

20 Sec. 8. The Board of Trustees of the University of  
21 Illinois, the Board of Trustees of Southern Illinois  
22 University, the Board of Trustees of Chicago State University,  
23 the Board of Trustees of Eastern Illinois University, the Board  
24 of Trustees of Governors State University, the Board of  
25 Trustees of Illinois State University, the Board of Trustees of

1 Northeastern Illinois University, the Board of Trustees of  
2 Northern Illinois University, and the Board of Trustees of  
3 Western Illinois University, ~~and the Illinois Community~~  
4 ~~College Board~~ shall submit to the Board not later than the 15th  
5 day of November of each year its budget proposals for the  
6 operation and capital needs of the institutions under its  
7 governance or supervision for the ensuing fiscal year. Each  
8 budget proposal shall conform to the procedures developed by  
9 the Board in the design of an information system for State  
10 universities ~~and colleges~~.

11 In order to maintain a cohesive system of higher education,  
12 the Board and its staff shall communicate on a regular basis  
13 with all public university presidents. They shall meet at least  
14 semiannually to achieve economies of scale where possible and  
15 provide the most innovative and efficient programs and  
16 services.

17 The Board, in the analysis of formulating the annual budget  
18 request, shall consider rates of tuition and fees and  
19 undergraduate tuition and fee waiver programs at the State  
20 ~~state~~ universities ~~and colleges~~. The Board shall also consider  
21 the current and projected utilization of the total physical  
22 plant of each campus of a university ~~or college~~ in approving  
23 the capital budget for any new building or facility.

24 The Board of Higher Education shall submit to the Governor,  
25 to the General Assembly, and to the appropriate budget agencies  
26 of the Governor and General Assembly its analysis and

1 recommendations on such budget proposals.

2 The Board is directed to form a broad-based group of  
3 individuals representing the Office of the Governor, the  
4 General Assembly, public institutions of higher education,  
5 State agencies, business and industry, statewide ~~Statewide~~  
6 organizations representing faculty and staff, and others as the  
7 Board shall deem appropriate to devise a system for allocating  
8 State resources to public institutions of higher education  
9 based upon performance in achieving State goals related to  
10 student success and certificate and degree completion.

11 ~~The Beginning in Fiscal Year 2013, the~~ Board of Higher  
12 Education and the Illinois Community College Board budget  
13 recommendations to the Governor and the General Assembly shall  
14 include allocations to public institutions of higher education  
15 based upon performance metrics designed to promote and measure  
16 student success in degree and certificate completion. Public  
17 university ~~These~~ metrics must be adopted by the Board by rule,  
18 and public community college metrics must be adopted by the  
19 Illinois Community College Board by rule. These metrics must be  
20 developed and promulgated in accordance with the following  
21 principles:

22 (1) The metrics must be developed in consultation with  
23 public institutions of higher education, as well as other  
24 State educational agencies and other higher education  
25 organizations, associations, interests, and stakeholders  
26 as deemed appropriate by the Board.

1           (2) The metrics shall include provisions for  
2 recognizing the demands on and rewarding the performance of  
3 institutions in advancing the success of students who are  
4 academically or financially at risk, including  
5 first-generation students, low-income students, and  
6 students traditionally underrepresented in higher  
7 education, as specified in Section 9.16 of this Act.

8           (3) The metrics shall recognize and account for the  
9 differentiated missions of institutions and sectors of  
10 higher education.

11           (4) The metrics shall focus on the fundamental goal of  
12 increasing completion of college courses, certificates,  
13 and degrees. Performance metrics shall recognize the  
14 unique and broad mission of public community colleges  
15 through consideration of additional factors including, but  
16 not limited to, enrollment, progress through key academic  
17 milestones, transfer to a baccalaureate institution, and  
18 degree completion.

19           (5) The metrics must be designed to maintain the  
20 quality of degrees, certificates, courses, and programs.

21 In devising performance metrics, the Board may be guided by the  
22 report of the Higher Education Finance Study Commission.

23           Each State university ~~state supported institution within~~  
24 ~~the application of this Act~~ must submit its plan for capital  
25 improvements of non-instructional facilities to the Board for  
26 approval before final commitments are made if the total cost of

1 the project as approved by the institution's board of control  
2 is in excess of \$2 million. Non-instructional uses shall  
3 include but not be limited to dormitories, union buildings,  
4 field houses, stadium, other recreational facilities and  
5 parking lots. The Board shall determine whether or not any  
6 project submitted for approval is consistent with the master  
7 plan for higher education and with instructional buildings that  
8 are provided for therein. If the project is found by a majority  
9 of the Board not to be consistent, such capital improvement  
10 shall not be constructed.

11 (Source: P.A. 97-290, eff. 8-10-11; 97-320, eff. 1-1-12;  
12 97-610, eff. 1-1-12; 97-813, eff. 7-13-12.)

13 (110 ILCS 205/9.07) (from Ch. 144, par. 189.07)

14 Sec. 9.07. Admission standards.

15 (a) Subject to the provisions of subsection (b), to  
16 establish minimum admission standards for public community  
17 colleges, in cooperation with the Illinois Community College  
18 Board, and for State colleges and state universities. However,  
19 notwithstanding any other provision of this Section or any  
20 other law of this State, the minimum admission standards  
21 established by the Board shall not directly or indirectly  
22 authorize or require a State ~~college or~~ university or public  
23 community college to discriminate in the admissions process  
24 against an applicant for admission because of the applicant's  
25 enrollment in a charter school established under Article 27A of

1 the School Code. Admission standards for out-of-state students  
2 may be higher than for Illinois residents.

3 (b) Implementation of the new statewide minimum admission  
4 requirements and standards for public colleges and  
5 universities in Illinois established and announced by the Board  
6 in December, 1985 shall be deferred as provided in this  
7 subsection. The Board shall not attempt to implement or  
8 otherwise effect adoption and establishment of those minimum  
9 admission requirements and standards in any public community  
10 college, college or State university prior to the fall of 1993,  
11 and no public community college, college or State university  
12 shall be under any duty or obligation to implement, establish  
13 or otherwise apply those minimum admission requirements and  
14 standards to any entering freshmen prior to the fall of 1993.  
15 The Board of Higher Education shall provide the State  
16 Superintendent of Education, on or before January 1, 1990,  
17 descriptions of course content, and such other criteria as are  
18 necessary to determine and certify whether all school districts  
19 maintaining grades 9-12 are offering courses which satisfy the  
20 minimum admission requirements and standards established and  
21 announced by the Board. In addition, there shall be established  
22 a 9 member committee composed of 3 members selected by the  
23 Board of Higher Education, 3 members selected by the State  
24 Superintendent of Education and 3 members selected by the  
25 President of the Illinois Vocational Association. The  
26 committee shall be appointed within 30 days after the effective

1 date of this amendatory Act. It shall be the duty and  
2 responsibility of the committee to identify and develop courses  
3 and curricula in the vocational education area which meet the  
4 minimum admission requirements and standards to be established  
5 and implemented under this Section. The first meeting of the  
6 committee shall be called by the Executive Director of the  
7 Board of Higher Education within 10 days after the committee is  
8 appointed. At its first meeting the committee shall organize  
9 and elect a chairperson. The committee's report shall be  
10 prepared and submitted by the committee to the Board of Higher  
11 Education, the Illinois State Board of Education and the  
12 General Assembly by April 1, 1989.

13 (c) By March 1, 1980, the Boards shall develop guidelines  
14 which: (1) place the emphasis on postsecondary remedial  
15 programs at Public Community Colleges and (2) reduces the role  
16 of the state universities in offering remedial programs. By  
17 June 30, 1981, the Board shall report to the General Assembly  
18 the progress made toward this transition in the emphasis on  
19 remedial programs at the postsecondary level and any  
20 legislative action that it deems appropriate. Under the  
21 guidelines, if a State university determines that a student  
22 needs remedial coursework, then the university must require  
23 that the student complete the remedial coursework before  
24 pursuing his or her major course of study.

25 (Source: P.A. 95-272, eff. 8-17-07.)

1 (110 ILCS 205/9.08) (from Ch. 144, par. 189.08)

2 Sec. 9.08. To design, establish, and supervise the  
3 operation of an information system for all State universities  
4 ~~and colleges,~~ to provide the Board with timely, comprehensive,  
5 and meaningful information pertinent to the exercise of its  
6 duties. The information system shall be designed to provide  
7 comparable data on each State university ~~institution of higher~~  
8 ~~education.~~

9 (Source: P.A. 79-94.)

10 (110 ILCS 205/9.16) (from Ch. 144, par. 189.16)

11 Sec. 9.16. Underrepresentation of certain groups in higher  
12 education. To require public universities ~~institutions of~~  
13 ~~higher education~~ to develop and implement methods and  
14 strategies to increase the participation of minorities, women  
15 and handicapped individuals who are traditionally  
16 underrepresented in education programs and activities. For the  
17 purpose of this Section, minorities shall mean persons who are  
18 citizens of the United States or lawful permanent resident  
19 aliens of the United States and who are any of the following:

20 (1) American Indian or Alaska Native (a person having  
21 origins in any of the original peoples of North and South  
22 America, including Central America, and who maintains  
23 tribal affiliation or community attachment).

24 (2) Asian (a person having origins in any of the  
25 original peoples of the Far East, Southeast Asia, or the

1 Indian subcontinent, including, but not limited to,  
2 Cambodia, China, India, Japan, Korea, Malaysia, Pakistan,  
3 the Philippine Islands, Thailand, and Vietnam).

4 (3) Black or African American (a person having origins  
5 in any of the black racial groups of Africa). Terms such as  
6 "Haitian" or "Negro" can be used in addition to "Black or  
7 African American".

8 (4) Hispanic or Latino (a person of Cuban, Mexican,  
9 Puerto Rican, South or Central American, or other Spanish  
10 culture or origin, regardless of race).

11 (5) Native Hawaiian or Other Pacific Islander (a person  
12 having origins in any of the original peoples of Hawaii,  
13 Guam, Samoa, or other Pacific Islands).

14 The Board shall adopt any rules necessary to administer  
15 this Section. The Board shall also do the following:

16 (a) require all public universities ~~institutions of~~  
17 ~~higher education~~ to develop and submit plans for the  
18 implementation of this Section;

19 (b) conduct periodic review of public universities  
20 ~~institutions of higher education~~ to determine compliance  
21 with this Section; and if the Board finds that a public  
22 university ~~institution of higher education~~ is not in  
23 compliance with this Section, it shall notify the  
24 institution of steps to take to attain compliance;

25 (c) provide advice and counsel pursuant to this  
26 Section;

1 (d) conduct studies of the effectiveness of methods and  
2 strategies designed to increase participation of students  
3 in education programs and activities in which minorities,  
4 women and handicapped individuals are traditionally  
5 underrepresented, and monitor the success of students in  
6 such education programs and activities;

7 (e) encourage minority student recruitment and  
8 retention in ~~colleges and~~ universities. In implementing  
9 this paragraph, the Board shall undertake but need not be  
10 limited to the following: the establishment of guidelines  
11 and plans for public universities ~~institutions of higher~~  
12 ~~education~~ for minority student recruitment and retention,  
13 the review and monitoring of minority student programs  
14 implemented at public universities ~~institutions of higher~~  
15 ~~education~~ to determine their compliance with any  
16 guidelines and plans so established, the determination of  
17 the effectiveness and funding requirements of minority  
18 student programs at public universities ~~institutions of~~  
19 ~~higher education~~, and the dissemination of successful  
20 programs as models, ~~and the encouragement of cooperative~~  
21 ~~partnerships between community colleges and local school~~  
22 ~~attendance centers which are experiencing difficulties in~~  
23 ~~enrolling minority students in four year colleges and~~  
24 ~~universities;~~

25 (f) mandate all public universities ~~institutions of~~  
26 ~~higher education~~ to submit data and information essential

1 to determine compliance with this Section. The Board shall  
2 prescribe the format and the date for submission of this  
3 data and any other education equity data; and

4 (g) report to the General Assembly and the Governor  
5 annually with a description of the plans submitted by each  
6 public university ~~institution of higher education~~ for  
7 implementation of this Section, including financial data  
8 relating to the most recent fiscal year expenditures for  
9 specific minority programs, the effectiveness of such  
10 plans and programs and the effectiveness of the methods and  
11 strategies developed by the Board in meeting the purposes  
12 of this Section, the degree of compliance with this Section  
13 by each public university ~~institution of higher education~~  
14 as determined by the Board pursuant to its periodic review  
15 responsibilities, and the findings made by the Board in  
16 conducting its studies and monitoring student success as  
17 required by paragraph (d) of this Section. With respect to  
18 each public university, ~~institution of higher education~~  
19 such report also shall include, but need not be limited to,  
20 information with respect to each institution's minority  
21 program budget allocations; minority student admission,  
22 retention and graduation statistics; admission, retention,  
23 and graduation statistics of all students who are the first  
24 in their immediate family to attend an institution of  
25 higher education; number of financial assistance awards to  
26 undergraduate and graduate minority students; and minority

1 faculty representation. This paragraph shall not be  
2 construed to prohibit the Board from making, preparing or  
3 issuing additional surveys or studies with respect to  
4 minority education in Illinois.

5 (Source: P.A. 97-396, eff. 1-1-12; 97-588, eff. 1-1-12; 97-813,  
6 eff. 7-13-12.)

7 (110 ILCS 205/12) (from Ch. 144, par. 192)

8 Sec. 12. The Board may examine the books, records and files  
9 of any public university ~~institution of higher education,~~ and  
10 of any office of State ~~state~~ government, as to matters germane  
11 to its responsibilities hereunder, subject only to laws or  
12 regulations pertaining to the confidential nature of  
13 information or data. The officers and employees of all public  
14 universities ~~institutions of higher education,~~ and of State  
15 ~~state~~ agencies of government, shall afford the Board, its  
16 members, and authorized agents and representatives, access to  
17 all such books, records and files, and furnish to them such  
18 information as they have relating to the Board's functions and  
19 responsibilities. The Board may hold hearings at such places as  
20 it deems desirable.

21 (Source: Laws 1961, p. 3819.)

22 Section 10. The Public Community College Act is amended by  
23 adding Section 2-26 and by changing Sections 3-2, 3-3, 3-22.1,  
24 3-25.1, 3-29.8, 3-40, and 5-11 as follows:

1 (110 ILCS 805/2-26 new)

2 Sec. 2-26. Underrepresentation of certain groups in higher  
3 education.

4 (a) The State Board shall require community colleges to  
5 develop and implement methods and strategies to increase the  
6 participation of minorities, women, and disabled individuals  
7 who are traditionally underrepresented in education programs  
8 and activities. For the purpose of this Section, "minorities"  
9 shall mean persons who are citizens of the United States or  
10 lawful permanent resident aliens of the United States and who  
11 are any of the following:

12 (1) American Indian or Alaska Native (a person having  
13 origins in any of the original peoples of North and South  
14 America, including Central America, and who maintains  
15 tribal affiliation or community attachment).

16 (2) Asian (a person having origins in any of the  
17 original peoples of the Far East, Southeast Asia, or the  
18 Indian subcontinent, including, but not limited to,  
19 Cambodia, China, India, Japan, Korea, Malaysia, Pakistan,  
20 the Philippine Islands, Thailand, and Vietnam).

21 (3) Black or African American (a person having origins  
22 in any of the black racial groups of Africa). Terms such as  
23 "Haitian" or "Negro" can be used in addition to "Black or  
24 African American".

25 (4) Hispanic or Latino (a person of Cuban, Mexican,

1 Puerto Rican, South or Central American, or other Spanish  
2 culture or origin, regardless of race).

3 (5) Native Hawaiian or Other Pacific Islander (a person  
4 having origins in any of the original peoples of Hawaii,  
5 Guam, Samoa, or other Pacific Islands).

6 (b) The State Board shall adopt any rules necessary to  
7 administer this Section. The State Board shall also do all of  
8 the following:

9 (1) Require all community colleges to develop and  
10 submit plans for the implementation of this Section.

11 (2) Conduct periodic review of community colleges to  
12 determine compliance with this Section; and if the State  
13 Board finds that a community college is not in compliance  
14 with this Section, it shall notify the institution of steps  
15 to take to attain compliance.

16 (3) Provide advice and counsel pursuant to this  
17 Section.

18 (4) Conduct studies of the effectiveness of methods and  
19 strategies designed to increase participation of students  
20 in education programs and activities in which minorities,  
21 women, and disabled individuals are traditionally  
22 underrepresented and monitor the success of students in  
23 such education programs and activities.

24 (5) Encourage minority student recruitment and  
25 retention in community colleges. In implementing this  
26 subdivision (5), the State Board shall undertake, but need

1 not be limited to, the following: the establishment of  
2 guidelines and plans for community colleges for minority  
3 student recruitment and retention, the review and  
4 monitoring of minority student programs implemented at  
5 community colleges to determine their compliance with any  
6 guidelines and plans so established, the determination of  
7 the effectiveness and funding requirements of minority  
8 student programs at community colleges, the dissemination  
9 of successful programs as models, and the encouragement of  
10 cooperative partnerships between community colleges and  
11 local school attendance centers that are experiencing  
12 difficulties in enrolling minority students in 4-year  
13 colleges and universities.

14 (6) Mandate all community colleges to submit data and  
15 information essential to determine compliance with this  
16 Section. The State Board shall prescribe the format and the  
17 date for submission of this data and any other education  
18 equity data.

19 (7) Report to the General Assembly and the Governor  
20 annually with a description of the plans submitted by each  
21 community college for implementation of this Section,  
22 including financial data relating to the most recent fiscal  
23 year expenditures for specific minority programs, the  
24 effectiveness of such plans and programs and the  
25 effectiveness of the methods and strategies developed by  
26 the State Board in meeting the purposes of this Section,

1 the degree of compliance with this Section by each  
2 community college as determined by the State Board pursuant  
3 to its periodic review responsibilities, and the findings  
4 made by the State Board in conducting its studies and  
5 monitoring student success as required by subdivision (4)  
6 of this subsection (b). With respect to each community  
7 college, such report also shall include, but need not be  
8 limited to, information with respect to each institution's  
9 minority program budget allocations; minority student  
10 admission, retention, and graduation statistics;  
11 admission, retention, and graduation statistics of all  
12 students who are the first in their immediate family to  
13 attend an institution of higher education; number of  
14 financial assistance awards to minority students; and  
15 minority faculty representation. This subdivision (7)  
16 shall not be construed to prohibit the State Board from  
17 making, preparing, or issuing additional surveys or  
18 studies with respect to minority education in Illinois.

19 (110 ILCS 805/3-2) (from Ch. 122, par. 103-2)

20 Sec. 3-2. Upon the receipt of such a petition, the State  
21 Board shall, in cooperation with the regional superintendent of  
22 the county or counties in which the territory of the proposed  
23 district is located, cause a study to be made of the territory  
24 of the proposed district and the community college needs and  
25 condition thereof and the area within and adjacent thereto in

1 relation to existing facilities for general education,  
2 including pre-professional curricula and for training in  
3 occupational activities, and in relation to a factual survey of  
4 the possible enrollment, assessed valuation, industrial  
5 business, agricultural and other conditions reflecting  
6 educational needs in the area to be served, in order to  
7 determine whether in its judgment the proposed district may  
8 adequately maintain a community college in accordance with such  
9 desirable standards. In reviewing the application the State  
10 Board shall consider the feasibility of any proposed  
11 utilization of existing public or private educational  
12 facilities and land within or in near proximity to the boundary  
13 of the proposed district, and of contracting with such public  
14 or private institutions for the provision of educational  
15 programs. If the State Board finds as the result of its study  
16 that it is not possible for the proposed district to produce a  
17 desirable program of community college education at a  
18 reasonable cost, it shall provide a brief statement of the  
19 reasons for this decision and shall thereupon cause a copy of  
20 the statement to be published in a newspaper or newspapers  
21 having a general circulation in the territory of the proposed  
22 district and no election shall be held or further proceedings  
23 had on said petition to establish such a community college  
24 district. In approving a request for a new community college  
25 district, ~~If approved~~ the State Board shall make ~~submit its~~  
26 findings to the Board of Higher Education for a determination

1 as to whether or not the proposal is in conformity with a  
2 comprehensive community college program. When the State Board  
3 ~~of Higher Education~~ approves the request for a new community  
4 college, the State Board shall prepare a report of such action  
5 on the petition. The report shall contain a brief statement of  
6 the reasons for the decision and a resume stating why the State  
7 Board deems it possible for the proposed district to provide a  
8 desirable 2-year ~~two-year~~ college program at reasonable cost,  
9 the conditions under which such operation would be possible,  
10 the estimated results of such operation in terms of local  
11 taxes, the nature and probable cost of alternative methods of  
12 providing adequate community college educational opportunities  
13 for students in the territory involved and such other  
14 information as the State Board believes may be helpful to the  
15 voters in such territory in voting on the proposition to  
16 establish a community college district.

17 (Source: P.A. 84-509.)

18 (110 ILCS 805/3-3) (from Ch. 122, par. 103-3)

19 Sec. 3-3. If the State Board ~~of Higher Education~~  
20 disapproves the request for a new community college, no  
21 election shall be held or further proceedings had on such  
22 petition to establish a community college district. If the  
23 State Board ~~of Higher Education~~ approves the request to  
24 establish a community college district, the State Board shall  
25 cause notice of a hearing on the petition to be given by

1 publishing a notice thereof at least once each week for 3  
2 successive weeks in at least one newspaper having general  
3 circulation within the territory of the proposed district, and  
4 if no such newspaper exists, then the publication shall be made  
5 in 2 or more newspapers which together cover the territory with  
6 general circulation. The notice shall state when and to whom  
7 the petition was presented, the description of the territory of  
8 the proposed district, and the day on which the hearing upon  
9 the petition and the report of the State Board will be held. On  
10 such day or on a day to which the State Board shall continue  
11 said hearing, the State Board or a hearing officer appointed by  
12 it shall hear the petition, present the report and determine  
13 the sufficiency of the petition as herein prescribed, and may  
14 adjourn the hearing from time to time or continue the matter  
15 for want of sufficient notice or for other good cause. The  
16 State Board or a hearing officer appointed by it shall hear any  
17 additional evidence as to the school needs and conditions of  
18 the territory and in the area within and adjacent thereto and  
19 if a hearing officer is appointed he shall report a summary of  
20 the testimony to the State Board. Whereupon the State Board  
21 shall determine whether it is for the best interests of the  
22 schools of such area and the educational welfare of the  
23 students therein that such district be organized, and shall  
24 determine also whether the territory described in the petition  
25 is compact and contiguous for college purposes.

26 (Source: P.A. 78-669.)

1 (110 ILCS 805/3-22.1) (from Ch. 122, par. 103-22.1)

2 Sec. 3-22.1. To cause an audit to be made as of the end of  
3 each fiscal year by an accountant licensed to practice public  
4 accounting in Illinois and appointed by the board. The auditor  
5 shall perform his or her examination in accordance with  
6 generally accepted auditing standards and regulations  
7 prescribed by the State Board, and submit his or her report  
8 thereon in accordance with generally accepted accounting  
9 principles. The examination and report shall include a  
10 verification of student enrollments and any other bases upon  
11 which claims are filed with the State Board. The audit report  
12 shall include a statement of the scope and findings of the  
13 audit and a professional opinion signed by the auditor. If a  
14 professional opinion is denied by the auditor he or she shall  
15 set forth the reasons for that denial. The board shall not  
16 limit the scope of the examination to the extent that the  
17 effect of such limitation will result in the qualification of  
18 the auditor's professional opinion. The procedures for payment  
19 for the expenses of the audit shall be in accordance with  
20 Section 9 of the Governmental Account Audit Act. Copies of the  
21 audit report shall be filed with the State Board in accordance  
22 with regulations prescribed by the State Board. The State Board  
23 shall file one copy of the audit report with the Auditor  
24 General. ~~The State Board shall file copies of the uniform~~  
25 ~~financial statements from the audit report with the Board of~~

1 ~~Higher Education.~~

2 (Source: P.A. 90-468, eff. 8-17-97.)

3 (110 ILCS 805/3-25.1) (from Ch. 122, par. 103-25.1)

4 Sec. 3-25.1. To authorize application to the Illinois  
5 Community College Board for the approval of new units of  
6 instruction, research or public service as defined in this  
7 Section and to establish such new units following approval in  
8 accordance with the provisions of this Act ~~and the Board of~~  
9 ~~Higher Education Act.~~

10 The term "new unit of instruction, research or public  
11 service" includes the establishment of a college, school,  
12 division, institute, department or other unit including majors  
13 and curricula in any field of instruction, research, or public  
14 service not theretofore included in the program of the  
15 community college, and includes the establishment of any new  
16 branch or campus of the institution. The term shall not include  
17 reasonable and moderate extensions of existing curricula,  
18 research, or public service programs which have a direct  
19 relationship to existing programs; and the State Board may,  
20 under its rule making power define the character of reasonable  
21 and moderate extensions.

22 (Source: P.A. 88-322.)

23 (110 ILCS 805/3-29.8)

24 Sec. 3-29.8. Administrator and faculty salary and

1 benefits; report. Each board of trustees shall report to the  
2 State Board of Higher Education, on or before July 1 of each  
3 year, the base salary and benefits of the president or chief  
4 executive officer of the community college and all  
5 administrators, faculty members, and instructors employed by  
6 the community college district. For the purposes of this  
7 Section, "benefits" includes without limitation vacation days,  
8 sick days, bonuses, annuities, and retirement enhancements.

9 (Source: P.A. 96-266, eff. 1-1-10; 96-1000, eff. 7-2-10.)

10 (110 ILCS 805/3-40) (from Ch. 122, par. 103-40)

11 Sec. 3-40. To enter into contracts with any person,  
12 organization, association, educational institution, or  
13 governmental agency for providing or securing educational  
14 services. Any initial contract with a public university or a  
15 private degree-granting college or university entered into on  
16 or after July 1, 1985 but before July 1, 2015 shall have prior  
17 approval of the State Board and the Illinois Board of Higher  
18 Education. Any initial contract with a public university or a  
19 private degree-granting college or university entered into on  
20 or after July 1, 2015 shall have prior approval of the State  
21 Board.

22 (Source: P.A. 84-509.)

23 (110 ILCS 805/5-11) (from Ch. 122, par. 105-11)

24 Sec. 5-11. Any public community college which subsequent to

1 July 1, 1972 but before July 1, 2015, commenced construction of  
2 any facilities approved by the State Board and the Illinois  
3 Board of Higher Education may, after completion thereof, apply  
4 to the State for a grant for expenditures made by the community  
5 college from its own funds for building purposes for such  
6 facilities in excess of 25% of the cost of such facilities as  
7 approved by the State Board and the Illinois Board of Higher  
8 Education. Any public community college that, on or after July  
9 1, 2015, commenced construction of any facilities approved by  
10 the State Board may, after completion thereof, apply to the  
11 State for a grant for expenditures made by the community  
12 college from its own funds for building purposes for such  
13 facilities in excess of 25% of the cost of such facilities as  
14 approved by the State Board. A ~~Such~~ grant shall be contingent  
15 upon said community college having otherwise complied with  
16 Sections 5-3, 5-4, 5-5 and 5-10 of this Act.

17 If any payments or contributions of any kind which are  
18 based upon, or are to be applied to, the cost of such  
19 construction are received from the Federal government, or an  
20 agency thereof, subsequent to receipt of the grant herein  
21 provided, the amount of such subsequent payment or  
22 contributions shall be paid over to the Capital Development  
23 Board by the community college for deposit in the Capital  
24 Development Bond Interest and Retirement Fund.

25 (Source: P.A. 80-1200.)

26 Section 99. Effective date. This Act takes effect July 1,

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1 2015.

1		INDEX
2		Statutes amended in order of appearance
3	110 ILCS 205/6	from Ch. 144, par. 186
4	110 ILCS 205/6.2	from Ch. 144, par. 186.2
5	110 ILCS 205/7	from Ch. 144, par. 187
6	110 ILCS 205/8	from Ch. 144, par. 188
7	110 ILCS 205/9.07	from Ch. 144, par. 189.07
8	110 ILCS 205/9.08	from Ch. 144, par. 189.08
9	110 ILCS 205/9.16	from Ch. 144, par. 189.16
10	110 ILCS 205/12	from Ch. 144, par. 192
11	110 ILCS 805/2-26 new	
12	110 ILCS 805/3-2	from Ch. 122, par. 103-2
13	110 ILCS 805/3-3	from Ch. 122, par. 103-3
14	110 ILCS 805/3-22.1	from Ch. 122, par. 103-22.1
15	110 ILCS 805/3-25.1	from Ch. 122, par. 103-25.1
16	110 ILCS 805/3-29.8	
17	110 ILCS 805/3-40	from Ch. 122, par. 103-40
18	110 ILCS 805/5-11	from Ch. 122, par. 105-11